

**MUTUALLY ACCEPTED GUIDELINES BETWEEN
THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE
AND UNITED PARCEL SERVICE
FOR THE INSPECTION OF PLANT MATERIAL**

The following is a mutually agreed upon protocol for the safe transportation of plant material into, and within, California by United Parcel Service, and the holding for inspection of such material at UPS operating locations:

1. United Parcel Service will, at least semi-annually, feature an article on the California Department of Agriculture inspection requirements in its company newsletter, Roundups, which is provided to all their regular customers. The article will appear in the Fall and Spring issues.
2. United Parcel Service will furnish a supply of blue sticker labels which say "Warning! Plant Material - Hold for Inspection by the County Agricultural Commissioner," to all regular customers who ship plant material. These shippers will be instructed to place a sticker alongside the address label on each package of plant material moving into California. Their compliance with this instruction will be audited regularly by United Parcel Service personnel.
3. United Parcel Service will furnish a supply of blue sticker labels to every United Parcel Service receiving location to which packages are brought for shipment by occasional shippers who do not utilize pickup service. If the nature of the contents is not known, United Parcel Service personnel will ask each shipper if the package contains plant material. On packages containing plant material, United Parcel Service personnel will affix the blue sticker label adjacent to the address label. Customer counters in Hawaii and Puerto Rico will display posters stressing the need for customers to label parcels which contain agricultural products.
4. All United Parcel Service operating locations in California will set aside all packages bearing the blue warning notice sticker label, all packages which are otherwise marked or labeled, indicating they contain plant material, or are reasonably expected to contain plant material; and will advise the appropriate county agricultural commissioner's office of the arrival of packages that do not bear evidence of previous inspection by the California Department of Food and Agriculture or its designee.
5. The California Department of Food and Agriculture will continue the policy of not requiring the use of short form manifest to declare plant materials entering California.
6. Personnel at California border agricultural inspection stations will release United Parcel Service trucks without completing forms to notify county agricultural commissioners of plant materials being transported into California.
7. After notifying United Parcel Service, inspectors from CDFA or the county agricultural commissioner's offices may enter the locations listed above

for the purposes of inspecting plant materials. Inspectors will make every effort to notify UPS prior to arrival to minimize the impact on UPS staff.

8. It is also understood that United Parcel Service is a carrier engaged in the expedient delivery of documents and goods. The parties agree that any county agricultural commissioner's inspection, except by alternate arrangement, shall be conducted during normal business hours for the agricultural commissioner's office, and in a manner that is consistent with the operational needs of United Parcel Service. The parties agree that if an inspection of packages containing plants or plant materials has not been completed prior to vehicle or aircraft departure, the packages awaiting inspection may be retained by the county agricultural commissioner's office. However, package retention will not interfere with vehicle or aircraft movements.
9. United Parcel Service will furnish a suitable space with adequate lighting, accessible to the agricultural inspector, where packages can be held and easily inspected. Inspections will be conducted as soon as possible upon notification of receipt.
10. United Parcel Service will provide training and instruction to new employees upon hiring, and retrain all other employees, at least once per year on the importance of holding plant material, how to identify parcels that may contain plant material; use of the blue tags, where to hold the plant material, and who to contact for inspection. Training of package handlers and drivers in California will be particularly emphasized.
11. United Parcel Service will participate in periodic quality control tests that will be coordinated by CDFA. The periodic tests will involve identifying live plant shipments destined to California locations to see if United Parcel Service employees are complying with this agreement. The Department of Food and Agriculture or county Departments of Agriculture may send packages without prior notification.
12. This agreement is subject to review when necessary. Failure to comply with the above terms could result in a suspension, or cancellation of the agreement. United Parcel Service understands that violation of the Food and Agricultural Code can result in penalties up to \$10,000 for each violation, in addition to criminal penalties. Identification of any exotic pest infestation in California, as a result of United Parcel Service's failure to comply with the Food and Agricultural Code sections could result in penalties of up to \$25,000 for each violation, per section 5028 of the Food and Agricultural Code.

Signed John Kushik
John Kushik
National Accounts Manager
United Parcel Service

Date 8-21-91

Signed Allen Clark
Allen Clark
Program Supervisor
California Department of
Food and Agriculture

Date 8/21/91
